

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

BLAIR DOUGLASS,)	
)	
Plaintiff,)	
)	Case No. 2:22-cv-00945
v.)	Consolidated at Case No. 2:22-cv-00936
)	
)	
METABOLIC MEALS, L.L.C.,)	
)	
Defendant.)	

DEFENDANT METABOLIC MEALS, L.L.C'S MOTION TO DISMISS

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant Metabolic Meals, LLC respectfully moves to dismiss plaintiff Blair Douglass' Complaint, with prejudice, for failure to state a claim upon which relief can be granted. In support of Defendant's motion, Defendant submits the memorandum of law filed herewith.

Date: September 30, 2022

Respectfully submitted,

/s/ Christian Antkowiak

Christian Antkowiak, Esq. (PA 209231)

christian.antkowiak@bipc.com

Robert A. Vernon, Esq. (PA 307392)

robert.vernon@bipc.com

Buchanan Ingersoll & Rooney, PC

501 Grant Street, Suite 200

Pittsburgh, PA 15219

Phone: 412-562-1068

Fax: 412- 562-1041

*Attorneys for Defendant,
Metabolic Meals, L.L.C.*

CERTIFICATE OF CONFERRAL

Pursuant to this Court's Order regarding Rule 12(b) motions practice, counsel for Defendant hereby certifies that, prior to the filing of the above motion, counsel for Defendant consulted with counsel for Plaintiff, Kevin Tucker, and discussed Defendant's relief sought herein.

Date: September 30, 2022

Respectfully submitted,

/s/ Christian Antkowiak

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*Attorneys for Defendant,
Metabolic Meals, L.L.C.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 30th day of September 2022, a copy of the above and foregoing was served to all parties who are properly registered with the Court's electronic case filing system in accordance with the Court's rules.

/s/ *Christian Antkowiak*